

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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4	CAMERON D. HARDER,)	
5)	No. CV-06-0226-MWL
6	Plaintiff,)	
7)	ORDER ADOPTING REPORT AND
8	v.)	RECOMMENDATION
9)	
10	MICHAEL J. ASTRUE, ¹)	
11	Commissioner of Social)	
12	Security,)	
13)	
14	Defendant.)	

On January 26, 2007, the parties filed a stipulation for the remand of the above captioned case to the Commissioner for the calculation of benefits. (Ct. Rec. 19). The parties did not consent to proceed before a magistrate judge in this matter.

Now before the court is the magistrate judge's report and recommendation, entered on January 26, 2007, recommending the adoption of the parties' stipulation that this action be reversed, under sentence four of 42 U.S.C. § 405(g), with a remand to the Commissioner for the calculation of benefits. (Ct. Rec. 20).

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Upon consideration of the report and recommendation, the Court adopts the magistrate judge's report and recommendation in its entirety.

Having reviewed the report and recommendation and there being

¹As of February 12, 2007, Michael J. Astrue succeeded Defendant Acting Commissioner Linda S. McMahon as the Commissioner of Social Security. Pursuant to Fed. R. Civ. P. 25(d)(1), Commissioner Michael J. Astrue should be substituted as Defendant, and this lawsuit proceeds without further action by the parties. 42 U.S.C. § 405(g).

1 no objections thereto, **IT IS HEREBY ORDERED** that the report and
2 recommendation, filed on January 26, 2007 (**Ct. Rec. 20**) is **ADOPTED**
3 in full. The parties Joint Motion to Remand (**Ct. Rec. 19**) is
4 **GRANTED** and this action is reversed and remanded to the
5 Commissioner for the calculation of benefits consistent with the
6 magistrate judge's January 26, 2007 report and recommendation.
7 Judgment shall be entered for the **PLAINTIFF** and an application for
8 attorney fees may be filed by separate motion.

9 **IT IS SO ORDERED.** The District Court Executive is directed
10 to enter this Order and an Order of Judgment, forward copies to
11 counsel and close the file.

12 DATED this 21st day of February, 2007.

13
14 s/Fred L. Van Sickle
15 FRED L. VAN SICKLE
16 UNITED STATES DISTRICT JUDGE
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